

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

BRANDON CALLIER,

Plaintiff,

v.

TAX DEFENDER LLC
d/b/a TAX DEFENDER USA LLC, and
THOMAS CAHILL,

Defendants.

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EP-21-CV-00181-FM

ORDER DENYING MOTION AS MOOT

Before the court is “Defendants Tax Defender LLC and Thomas Cahill’s Motion to Dismiss for Failure to State a Claim Upon Which Relief Can be Granted” (“Motion”) [ECF No. 9], filed July 21, 2022 by Tax Defender LLC and Thomas Cahill (collectively, “Defendants”). Therein, Defendants request the court dismiss Plaintiff Brandon Callier’s complaint for failure to state a claim.¹ After due consideration of applicable law, the Motion is **DENIED AS MOOT**.

Amended complaints generally supersede original complaints and render them of no legal effect.² Plaintiff filed an amended complaint on August 3, 2022.³ As the Motion relates to Plaintiff’s original complaint, it, like Plaintiff’s original complaint, no longer has legal effect.

¹ See “Defendants Tax Defender LLC and Thomas Cahill’s Motion to Dismiss for Failure to State a Claim Upon Which Relief Can be Granted” [ECF No. 9], filed July 21, 2022.

² See *King v. Dogan*, 21 F.3d 344, 346 (5th Cir. 1994).

³ See generally “Plaintiff’s First Amended Complaint” 1, ECF No. 10, filed Aug. 3, 2022.

Accordingly, it is **HEREBY ORDERED** that “Defendant’s Motion to Dismiss” [ECF No. 9] is **DENIED AS MOOT**.

SIGNED AND ENTERED this 9th day of **August 2022**.

A handwritten signature in black ink, appearing to read "Frank Montalvo", written over a horizontal line.

FRANK MONTALVO
UNITED STATES DISTRICT JUDGE